

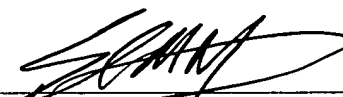
REMARKS

Upon entry of the above amendment, claims 1-12, 14 and 17-19 will be pending in this application. Claims 1-12, 14 and 17-18 have been amended to include hydrates, solvates, salts, hydrates of the salts and solvates of the salts of the compounds of formula I. Specific basis for this amendment can be found at page 5, 5th paragraph. Further, the claims have been amended to recite the singular "A compound" in lieu of the plural "Compounds".

Neither the amendments to the claims nor the addition of new claim 19 introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, the Examiner is respectfully requested to enter the above amendment before examination.

If the Examiner has any questions regarding this submission, she is invited to telephone the undersigned attorney.

Respectfully submitted,
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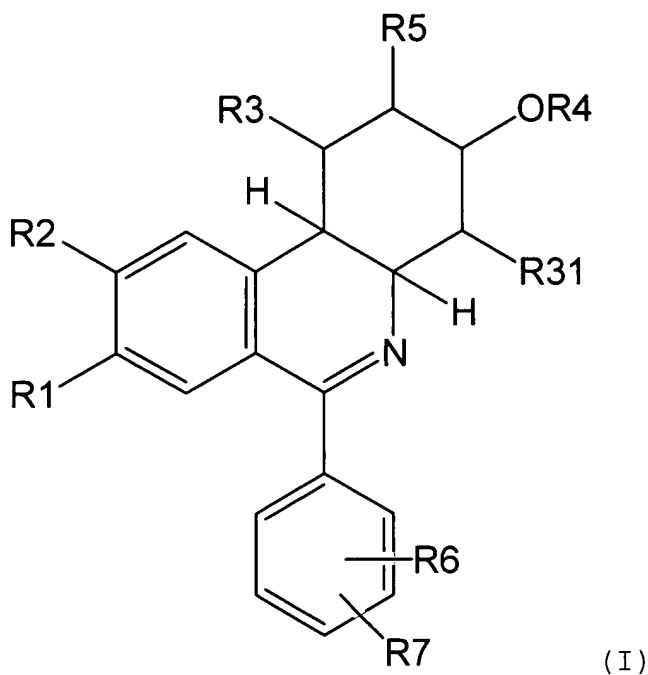
Date: February 18, 2005
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Appendix A

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Claim Amendments

1. (Currently amended) A compound ~~Compounds~~ of the formula I,



in which

R1 is hydroxyl, 1-4C-alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy or completely or predominantly fluorine-substituted 1-4C-alkoxy,

R2 is hydroxyl, 1-4C-alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy or completely or predominantly fluorine-substituted 1-4C-alkoxy,

or in which

R1 and R2 together are a 1-2C-alkylenedioxy group,
R3 is hydrogen or 1-4C-alkyl,
R31 is hydrogen or 1-4C-alkyl,
R4 is hydrogen, 1-4C-alkyl, completely or predominantly
fluorine-substituted 1-4C-alkyl, 1-4C-alkoxy-1-4C-alkyl,
hydroxy-2-4C-alkyl or 1-7C-alkylcarbonyl,
R5 is hydrogen or 1-4C-alkyl,
R6 is hydrogen, 1-4C-alkyl, trifluoromethyl, 1-4C-alkoxy,
completely or predominantly fluorine-substituted 1-4C-
alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy, halogen,
nitro, cyano, hydroxyl, 1-4C-alkylcarbonyloxy, amino, mono-
or di-1-4C-alkylamino, phenyl, phenyl-1-4C-alkyl, 1-4C-
alkylcarbonylamino, phenoxy or C(O)OR₆₁, wherein
R₆₁ is hydrogen, 1-7C-alkyl, 3-7C-cycloalkyl or 3-7C-
cycloalkylmethyl,
R7 is hydrogen, 1-4C-alkyl, hydroxyl, halogen, 1-4C-alkoxy,
completely or predominantly fluorine-substituted 1-4C-
alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy or
C(O)OR₆₁,

~~and the salts, the N-oxides and the salts of the N-oxides of
these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

2. (Currently amended) A compound ~~Compounds~~ of the formula I as claimed in claim 1, in which,

R1 is 1-2C-alkoxy, 3-5C-cycloalkoxy, 3-5C-cycloalkylmethoxy or completely or predominantly fluorine-substituted 1-2C-alkoxy,

R2 is 1-2C-alkoxy, 3-5C-cycloalkoxy, 3-5C-cycloalkylmethoxy or completely or predominantly fluorine-substituted 1-2C-alkoxy,

R3 hydrogen,

R31 hydrogen,

R4 is hydrogen, 1-4C-alkyl, completely or predominantly fluorine-substituted 1-2C-alkyl, 1-2C-alkoxy-1-2C-alkyl, 2-hydroxyethyl or 1-7C-alkylcarbonyl,

R5 is hydrogen

R6 is hydrogen, 1-4C-alkyl, 1-4C-alkoxy, completely or predominantly fluorine substituted 1-2C-alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy, halogen, nitro, amino, mono- or di-1-4C-alkylamino, 1-4C-alkylcarbonylamino or C(O)R61,

wherein

R61 is hydrogen, 1-4C-alkyl, 3-5C-cycloalkyl or 3-5C-cycloalkylmethyl,

R7 is hydrogen, 1-4C-alkyl, halogen, 1-4C-alkoxy, completely or predominantly fluorine-substituted 1-2C-alkoxy, 3-7C-cycloalkoxy or 3-7C-cycloalkylmethoxy,

~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

3. (Currently amended) A compound ~~Compounds~~ of the formula I as claimed in claim 1, in which

R1 is 1-2C-alkoxy, 3-5C-cycloalkoxy, 3-5C-cycloalkylmethoxy or completely or predominantly fluorine-substituted 1-2C-alkoxy,

R2 is 1-2C-alkoxy, 3-5C-cycloalkoxy, 3-5C-cycloalkylmethoxy or completely or predominantly fluorine-substituted 1-2C-alkoxy,

R3 is hydrogen,

R31 is hydrogen,

R4 is hydrogen, 1-4C-alkyl, 1-2C-alkoxy-2-4C-alkyl or 1-7C-alkylcarbonyl,

R5 is hydrogen,

R6 is 1-4C-alkyl, 1-4C-alkoxy, completely or predominantly fluorine-substituted 1-4C-alkoxy, 3-7C-cycloalkylmethoxy, halogen, nitro, cyano, hydroxyl, 1-4C-alkylcarbonyloxy, mono- or di-1-4C-alkylamino, 1-4C-alkylcarbonylamino, phenoxy or C(O)OR₆₁, wherein

R₆₁ is hydrogen or 1-7C-alkyl,

R7 is hydrogen, halogen, 1-4C-alkoxy, completely or predominantly fluorine-substituted 1-4C-alkoxy or 3-7C-cycloalkylmethoxy,

~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

4. (Currently amended) A compound ~~Compounds~~ of the formula I as claimed in claim 1 ~~[[or 3]]~~, in which

R1 is 1-2C-alkoxy or completely or predominantly fluorine-substituted 1-2C-alkoxy,

R2 is 1-2C-alkoxy or completely or predominantly fluorine-substituted 1-2C-alkoxy,

R3 is hydrogen,

R31 is hydrogen,

R4 is hydrogen, 1-4C-alkyl, 1-2C-alkoxyethyl or 1-7C-alkylcarbonyl,

R5 is hydrogen,

R6 is 1-4C-alkyl, 1-4C-alkoxy, completely or predominantly fluorine-substituted 1-4C-alkoxy, 3-7C-cycloalkylmethoxy, halogen, nitro, cyano, hydroxyl, 1-4C-alkylcarbonyloxy, mono- or di-1-4C-alkylamino, 1-4C-alkylcarbonylamino, phenoxy or C(O)OR₆₁, wherein

R₆₁ is hydrogen or 1-7C-alkyl,

R7 is hydrogen, halogen, 1-4C-alkoxy, completely or predominantly fluorine-substituted 1-4C-alkoxy or 3-7C-cycloalkylmethoxy,

~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

5. (Currently amended) A compound ~~Compounds~~ of the formula I as claimed in ~~any of the claims 1, 3, or 4~~ claim 1, in which

R1 is methoxy or difluoromethoxy,

R2 is methoxy, difluoromethoxy or ethoxy,

R3 is hydrogen,

R31 is hydrogen,

R4 is hydrogen or acetyl,

R5 is hydrogen,

R6 is cyano or cyclopropylmethoxy,

R7 is hydrogen or cyclopropylmethoxy,

~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

6. (Currently amended) A compound ~~Compounds~~ of the formula I as claimed in ~~any of the claims 1, 3, 4, or 5~~ claim 1, in which

R1 is methoxy,

R2 is methoxy,

R3 is hydrogen,

R31 is hydrogen,

R4 is hydrogen or acetyl,

R5 is hydrogen,

R6 is cyano or cyclopropylmethoxy,

R7 is hydrogen or cyclopropylmethoxy,

~~and the salts, the N-oxides and the salts of the N-oxides of
these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a
salt of this compound, an N-oxide of this compound, or a salt of
an N-oxide of this compound.

7. (Currently amended) A compound ~~Compounds~~ of the formula I
as claimed in ~~any of the preceding claims~~ claim 1, in which

R1 is methoxy,

R2 is methoxy,

R3 is hydrogen,

R31 is hydrogen,

R4 is hydrogen or acetyl,

R5 is hydrogen,

R6 is cyclopropylmethoxy,

R7 is cyclopropylmethoxy,

~~and the salts, the N-oxides and the salts of the N-oxides of
these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

8. (Currently amended) A compound ~~Compounds~~ as claimed in claim 1, selected from the group consisting of

(±)-acetic acid (3RS,4aRS,10bRS)-6-(3,4-bis-cyclopropylmethoxyphenyl)-8,9-dimethoxy-(1,2,3,4,4a,10b)-hexahydrophenanthridin-3-yl ester,

(±)-acetic acid (3SR,4aRS,10bRS)-6-(3,4-bis-cyclopropylmethoxyphenyl)-8,9-dimethoxy-(1,2,3,4,4a,10b)-hexahydrophenanthridin-3-yl ester,

(±)-(3RS,4aRS,10bRS)-6-(3,4-bis-cyclopropylmethoxyphenyl)-8,9-dimethoxy-(1,2,3,4,4a,10b)-hexahydrophenanthridin-3-ol,

(±)-(3SR,4aRS,10bRS)-6-(3,4-bis-cyclopropylmethoxyphenyl)-8,9-dimethoxy-1,2,3,4,4a,10b-hexahydrophenanthridin-3-ol,

(±)-acetic acid (3SR,4aRS,10bRS)-6-(4-cyanophenyl)-8,9-dimethoxy-(1,2,3,4,4a,10b)-hexahydrophenanthridin-3-yl ester,

[[and]]

(±)-4-((3SR,4aRS,10bRS)-3-hydroxy-8,9-dimethoxy-

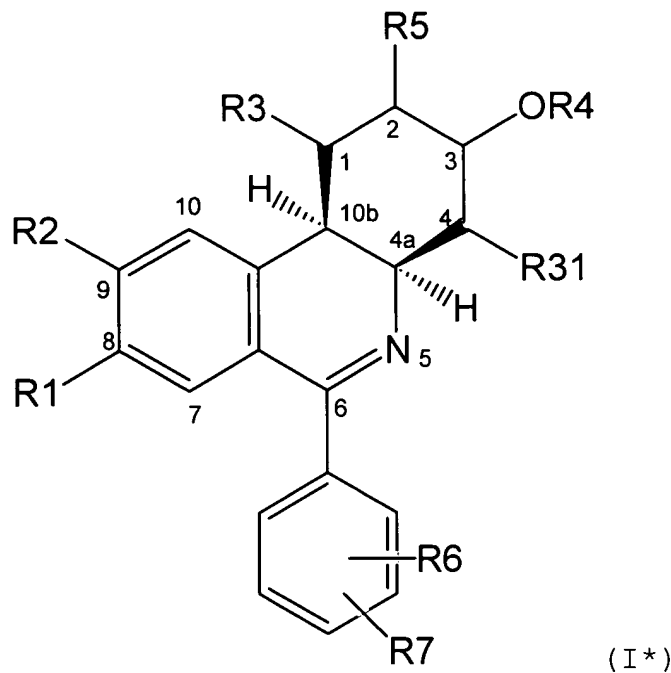
(1,2,3,4,4a,10b)-hexahydrophenanthridin-6-yl)-benzonitrile,

~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

the hydrates, solvates, salts, hydrates of the salts and solvates of the salts of these compounds, the N-oxides of these compounds, and the salts of the N-oxides of these compounds.

9. (Currently amended) A compound ~~Compounds~~ of the formula I according to ~~any of the claims 1 to 7~~ claim 1, in which the hydrogen atoms in positions 4a and 10b are in the cis position relative to one another, ~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~
or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

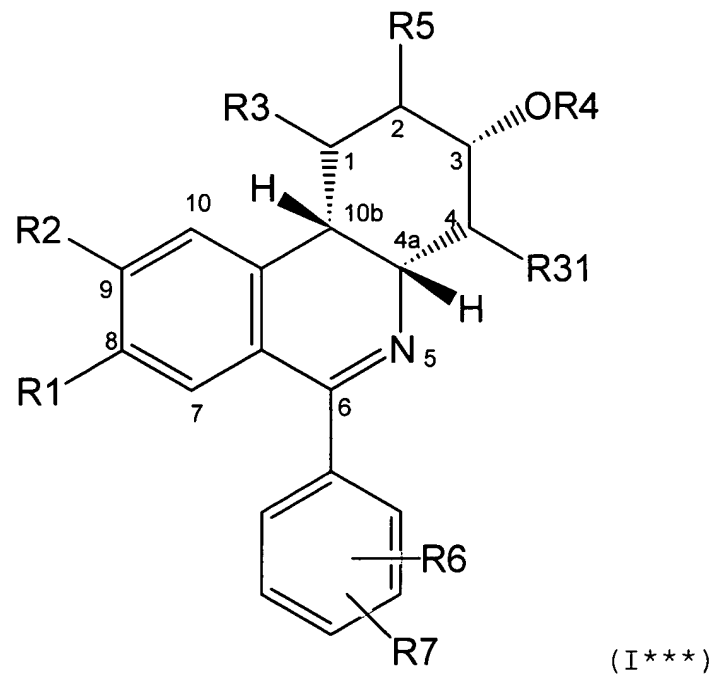
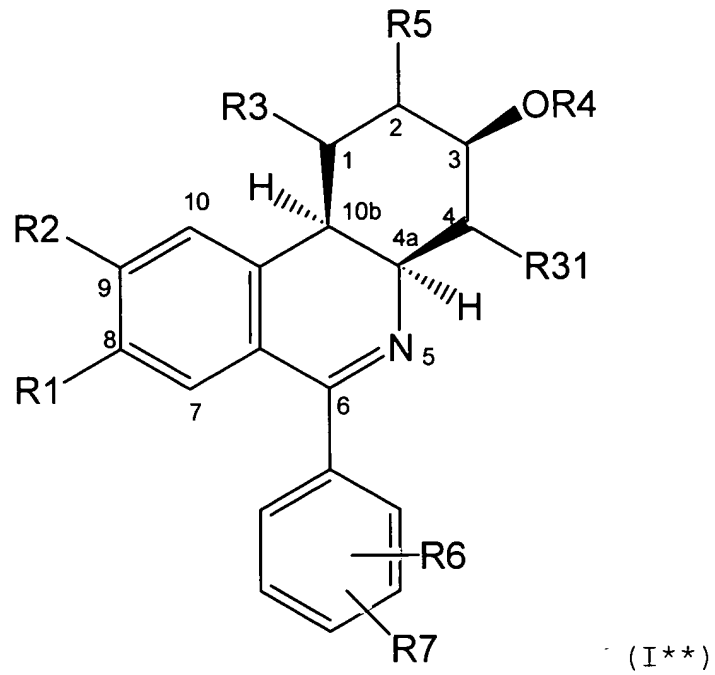
10. (Currently amended) A compound ~~Compounds~~ of the formula I according to ~~any of the claims 1 to 7, which have~~ claim 1, which has with respect to the positions 4a and 10b, the configuration shown in the formula I*:

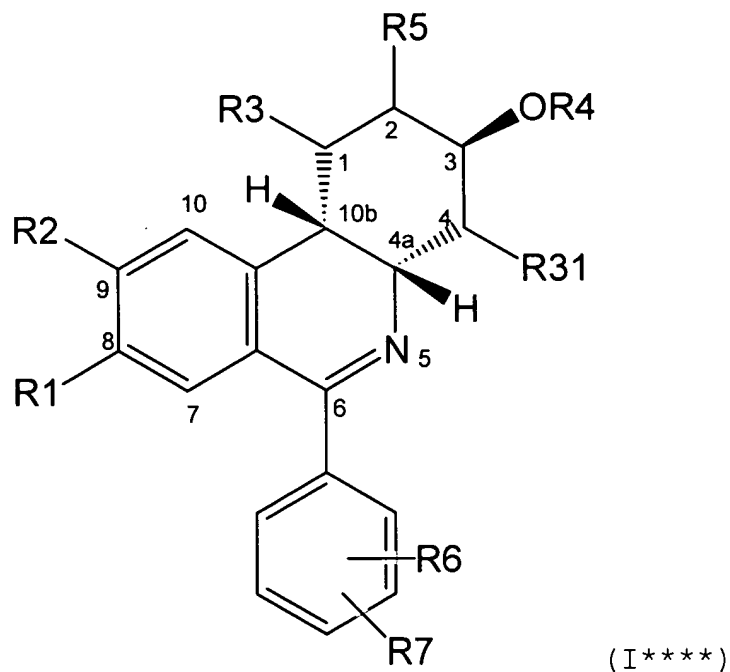


~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

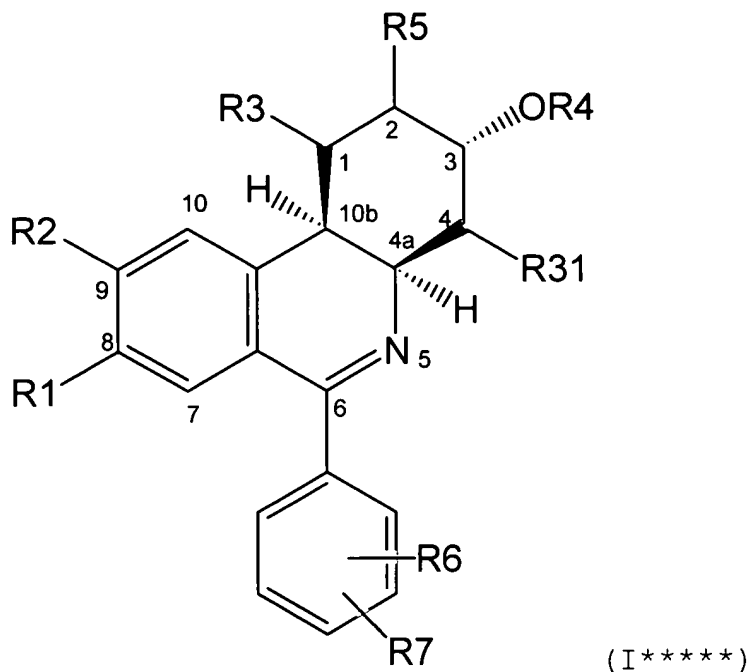
11. (Currently amended) A compound ~~Compounds~~ of the formula I according to ~~any of the claims 1 to 7, which have~~ claim 1, which has with respect to the positions 3, 4a and 10b, the configuration shown either in formula I**, I*** or I****:





~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~
or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

12. (Currently amended) A compound ~~Compounds~~ of the formula I according to ~~any of the claims 1 to 7, which have~~ claim 1, which has with respect to the positions 3, 4a and 10b, the configuration shown in formula I*****:



~~and the salts, the N-oxides and the salts of the N-oxides of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, an N-oxide of this compound, or a salt of an N-oxide of this compound.

13. (Canceled)

14. (Currently amended) A pharmaceutical composition comprising one or more compounds of the formula I as claimed in claim 1, or a pharmaceutically acceptable hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, a pharmaceutically

acceptable N-oxide of this compound, or a salt of said N-oxide,
together with a customary pharmaceutical excipients and/or
~~vehicles~~ auxiliary and/or excipient.

15. (Canceled)

16. (Canceled)

17. (Currently amended) A method for treating ~~illnesses~~ an
illness treatable by administration of a PDE inhibitor in a
patient comprising administering to said patient a
therapeutically effective amount of a compound of the formula I
as claimed in claim 1, or a pharmaceutically acceptable hydrate,
solvate, salt, hydrate of a salt or solvate of a salt of this
compound, a pharmaceutically acceptable N-oxide of this
compound, or a salt of said N-oxide.

18. (Currently amended) A method for treating an airway
~~disorders~~ disorder in a patient comprising administering to said
patient a therapeutically effective amount of a compound of the
formula I as claimed in claim 1, or a pharmaceutically
acceptable hydrate, solvate, salt, hydrate of a salt or solvate

of a salt of this compound, a pharmaceutically acceptable N-oxide of this compound, or a salt of said N-oxide.

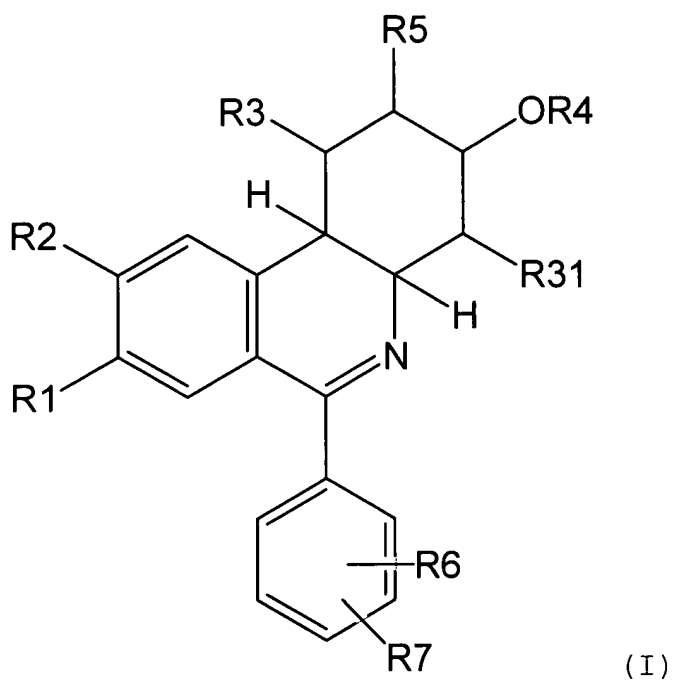
19. (New) A method for treating dermatoses in a patient comprising administering to said patient a therapeutically effective amount of a compound of the formula I as claimed in claim 1, or a pharmaceutically acceptable hydrate, solvate, salt, hydrate of a salt or solvate of a salt of this compound, a pharmaceutically acceptable N-oxide of this compound, or a salt of said N-oxide.

Appendix B

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Abstract of the Disclosure

The compounds of formula I



in which R1, R2, R3, R31, R4, R5, R6 and R7 have the meanings as indicated in the description, are novel effective PDE4 inhibitors.